

**DECLARATION AND POWER OF ATTORNEY  
FOR ORIGINAL U.S. PATENT APPLICATION**

Attorney's Docket No. LAM2P295

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR NITRIDE SPACER ETCH PROCESS IMPLEMENTING IN SITU  
INTERFEROMETRY ENDPOINT DETECTION AND NON-INTERFEROMETRY ENDPOINT  
MONITORING**, the specification of which,

(check one)

1. ☒ is attached hereto.
2. ☐ was filed on \_\_\_\_\_ as  
U.S. Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.
3. ☐ was filed on \_\_\_\_\_ as  
International PCT Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application(s)**

Priority Benefits Claimed?

_____ (Appl. No.)	_____ (Country)	_____ (Filing Date)
_____ (Appl. No.)	_____ (Country)	_____ (Filing Date)
_____ (Appl. No.)	_____ (Country)	_____ (Filing Date)

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Prior U.S. Application(s)**

(Application Serial No.)

(Filing Date)

(Status - patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status - patented, pending, abandoned)

And I hereby appoint the law firm of Martine Penilla & Kim, including Peter B. Martine (Reg. No. 32,043); Albert S. Penilla (Reg. No. 39,487); Chester E. Martine (Reg. No. 19,711); Edmund H. Mizumoto (Reg. No. 46,938); Joe A. Brock II (Reg. No. 46,021); Rick von Wohld (Reg. No. 48,018); Michael L. Gencarella (Reg. No. 44,703), and Jeffrey J. Brooks (Reg. No. 35,834) and Michael Brandt (Reg. No. 39,119), of Lam Research Corporation, as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Send Correspondence To:

**Albert S. Penilla**  
**MARTINE & PENILLA, LLP**  
**710 Lakeway Drive, Suite 170**  
**Sunnyvale, CA 94085**  
**Customer Number 25920**

Direct Telephone Calls To:

**Albert S. Penilla at telephone number (408) 749-6903**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of

Sole or First Inventor: Wen-Ben Chou

Citizenship: USA

Inventor's signature: Wen-ben Chou

Date of Signature: 10/31/2001

Residence: (City) Palo Alto

(State/Country) CA

Post Office Address: 3208 Kipling Street, Palo Alto, CA 94306

Full Name of Second Joint

Inventor (if any): Shih-Yuan Cheng

Citizenship: Taiwan

Inventor's signature: Shih-Yuan Cheng

Date of Signature: Oct 31, 2001

Residence: (City) Foster City

(State/Country) CA

Post Office Address: 160 Mira Street, Foster City, CA 94404

Full Name of Third Joint

Inventor (if any): Wayne Tu

Citizenship: Taiwan

Inventor's signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Residence: (City) Fremont

(State/Country) CA

Post Office Address: 42252 Camiro Santa Barbara, Fremont, CA 94539